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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELIOT SCOTT GRIZZLE,
Petitioner,
v.
ROBERT HOREL,
Respondent.

No. C 07-4845 SI

**ORDER RE: BRIEFING ON
PETITIONER'S MOTION FOR
DISCOVERY [DOCKET NO. 39]**

On March 6, 2009, petitioner filed a motion for discovery pursuant to Rule 6(a) of the Federal Rules Governing § 2254 Cases. This motion is scheduled for a hearing on April 24, 2009.

Petitioner is directed to file a supplemental brief, no later than March 30, 2009, to specifically address the steps petitioner has taken in state court proceedings to obtain the discovery that he now seeks. If petitioner has not made attempts to obtain the materials in state court, he must explain his reasons. Respondent shall file a response to the motion no later than April 10, 2009.

IT IS SO ORDERED.

Dated: March 19, 2009

Susan Illston
SUSAN ILLSTON
United States District Judge